



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: **HAYASHI, Nobuhiko et al.**

Serial No.: **09/955,600**

Filed: **September 19, 2001**

Group Art Unit 2813

Examiner: Tuan H. Nguyen

P.T.O. Confirmation No.: 1668

FOR: **SEMICONDUCTOR DEVICE AND METHOD OF FABRICATING THE SAME  
AND METHOD OF FORMING NITRIDE BASED SEMICONDUCTOR LAYER**

**RESPONSE TO ELECTION OF SPECIES REQUIREMENT**

**DATED June 12, 2003**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Date: July 14, 2003

Sir:

In response to the requirement for an election of species dated **June 12, 2003**, applicants provisionally elect to prosecute the species embodying Species II (a semiconductor with an irregular pattern). Claims 12 and 13 read on this species. Applicants reserve the right to file divisional applications on the non-elected claims.

If the Examiner has any questions with this Response, please feel free to call the undersigned at the indicated telephone number.

In the event that this paper is not timely filed, applicant hereby petitions for an appropriate extension of time. The fee for any such extension may be charged to our Deposit Account No. 01-2340.

#4/Election  
7/22/03  
[Signature]

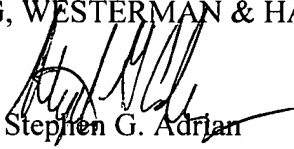
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**U.S. Patent Application Serial Number 09/955,600**

In the event any additional fees are required in connection with this response, please charge our Deposit Account No. 01-2340.

Respectfully submitted,

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